

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

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MARK L. KROTOSKI (CASBN 138549)
Chief, Criminal Division

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

No. 07-00305 RMW

Plaintiff,

**[PROPOSED] ORDER EXCLUDING
TIME FROM MAY 25, 2007 THROUGH
JUNE 11, 2007 FROM
CALCULATIONS UNDER THE
SPEEDY TRIAL ACT (18 U.S.C. § 3161)**

v.

TONY XIAOLIANG WANG,

Defendant.

Defendant Tony Xiaoliang Wang ("defendant") made his initial appearance before Magistrate Judge Howard R. Lloyd on May 25, 2007. Edward Hung, Esq. appeared on behalf of the defendant. Assistant United States Attorney Hanley Chew appeared for the government. Judge Lloyd scheduled the next appearance in this matter before Judge Ronald Whyte on June 11, 2007 at 10:00 a.m.

At the request of the parties, including the defendant, the Court enters this order documenting the exclusion of time from May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161. The parties, including the defendant, agree and the Court finds and holds as follows:

[PROPOSED] ORDER
U.S. v. WANG, NO: CR07-00305 RMW

1. The defendant understands and agrees to the exclusion of time for the period from May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161 based upon the fact that discovery is in the process of being produced in this case and the need for the defense counsel to review that discovery, investigate further the facts of the present case and effectively prepare for trial. The government anticipate producing its initial production of discovery to begin during the week of May 28, 2007 and to continue on a rolling basis thereafter.

2. The attorney for defendant joins in the request to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for effective preparation of the defense; believes the exclusion is in the defendant's best interests; and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from May 25, 2007 through June 11, 2007.

Given these circumstances, the Court finds that the ends of justice are served by excluding the period of May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv) outweigh the best interests of the public and the defendant in a speedy trial. Accordingly, the Court further orders that (1) the next appearance date before this Court is scheduled for June 11, 2007 at 10:00 a.m.; and (2) the time from May 25, 2007 through June 11, 2007 is excluded from calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

IT IS SO STIPULATED.

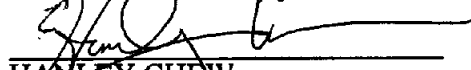
DATED: 5/29/07

WONG & ASSOCIATES


EDWARD HUNG

DATED: 5/29/07

SCOTT N. SCHOOLS
United States Attorney


HANLEY CHEW
Assistant United States Attorney

IT IS SO ORDERED.

DATED: _____

THE HONORABLE HOWARD R. LLOYD
United States Magistrate Judge

1. The defendant understands and agrees to the exclusion of time for the period from May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161 based upon the fact that discovery is in the process of being produced in this case and the need for the defense counsel to review that discovery, investigate further the facts of the present case and effectively prepare for trial. The government anticipate producing its initial production of discovery to begin during the week of May 28, 2007 and to continue on a rolling basis thereafter.

2. The attorney for defendant joins in the request to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for effective preparation of the defense; believes the exclusion is in the defendant's best interests; and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from May 25, 2007 through June 11, 2007.

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IT IS SO STIPULATED.

DATED:

WONG & ASSOCIATES

EDWARD HUNG

DATED: 5/29/07

SCOTT N. SCHOOLS
United States Attorney

HANLEY CHEW
Assistant United States Attorney

IT IS SO ORDERED.

DATED:

THE HONORABLE HOWARD R. LLOYD
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that she caused copies of

[Proposed] Order Excluding Time From May 25, 2007 Through June 11, 2007 From Calculations Under The Speedy Trial Act (18 U.S.C. § 3161)

in the case of **United States v. Tony Xiaoliang Wang, No. 07-00305 RMW** to be served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**EDWARD HUNG, ESQ.
413 Third Street
Jack London Square
Oakland, CA 94607**

____ (By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.

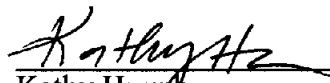
____ (By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

X (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Jose, California.

____ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 29, 2007


Kathy Huynh,
United States Attorney's Office